

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID SCOTT,

Plaintiff,

v.

Case No. 13-12781

Honorable Linda V. Parker

MARILYN BRADFORD, WILLIAM
MOLLISON, CHRISTOPHER CORRIVEAU,
MARTIN BAY, D. BISHOP, C. KOBEL,
L. LACEY, AND T. BRANDERVER,

Defendants.

**OPINION AND ORDER (1) ADOPTING MAGISTRATE JUDGE'S
OCTOBER 31, 2014 REPORT AND RECOMMENDATION [ECF NO. 73];
(2) GRANTING DEFENDANT MARILYN BRADFORD'S MOTION
FOR INJUNCTIVE RELIEF ENJOINING PLAINTIFF FROM FUTURE
LITIGATION [ECF NO. 46]; AND (3) ISSUING INJUNCTION**

Plaintiff David Scott commenced this civil rights action pursuant to 42 U.S.C. §§ 1983 and 1988 against Defendants on June 24, 2013. Plaintiff filed an amended complaint on December 10, 2013. At this time, Plaintiff's claims against all defendants have been dismissed. Pending before the Court, however, is Defendant Marilyn Bradford's Motion for Injunctive Relief Enjoining Plaintiff from Future Litigation, filed March 17, 2014. (ECF No. 46.) This action has been referred for all pretrial matters to Magistrate Judge David R. Grand.

On October 31, 2014, Magistrate Judge Grand issued a Report and Recommendation (“R&R”), recommending that this Court grant Defendant Bradford’s motion and enjoin Plaintiff from filing any new action in the United States District Court for the Eastern District of Michigan without first applying for and receiving a court order authorizing the filing of such lawsuit. (ECF No. 73.) Magistrate Judge Grand basis his recommendation on Plaintiff’s history of filing vexatious, harassing, duplicative, and frivolous lawsuits in this District, as well as the other State and Federal courts in Michigan, which are summarized in his R&R. (*Id.* at 1-3.) At the conclusion of his R&R, Magistrate Judge Grand informs the parties that they must file any objections to the R&R within fourteen days. (*Id.* at 5.) He further advises that the “[f]ailure to file specific objections constitutes a waiver of any further right of appeal.” (*Id.*, citations omitted). No objections were filed.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Grand. The relevant factors for determining whether a pre-filing injunction is appropriate with respect to Plaintiff warrant the issuance of an injunction. (*See id.* at 7-12.) The Court therefore adopts Magistrate Judge Grand’s October 31, 2014 Report and Recommendation.

Accordingly,

IT IS ORDERED, that Defendant Marilyn Bradford's Motion for Injunctive Relief Enjoining Plaintiff from Future Litigation (ECF No. 46) is **GRANTED**;

IT IS FURTHER ORDERED, that Plaintiff is **ENJOINED** from filing any new lawsuit in the United States District Court for the Eastern District of Michigan **without first applying for and receiving a court order from the Chief Judge authorizing the filing of such lawsuit**. Plaintiff shall attach a copy of this Opinion and Order and the magistrate judge's October 31, 2014 Report and Recommendation to his request to file any new action in this Court.

S/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: November 25, 2014

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, November 25, 2014, by electronic and/or U.S. First Class mail.

S/ Richard Loury
Case Manager